

Readopt with amendment He-P 308, effective 1-19-07, Document # 8799 to read as follows:

PART He-P 308 FINANCIAL ASSISTANCE TO PARTIALLY FUND TOWNS OR CITIES FOR MOSQUITO CONTROL ACTIVITIES

Statutory Authority: RSA 141-C:6, XXII, RSA 141-C:24

He-P 308.01 Purpose. The purpose of this part is to set forth the procedures for administration and distribution of funds directed toward mosquito control activities as established in RSA 141-C:25 and establishment of mosquito control districts.

He-P 308.02 Definitions.

(a) “Commissioner” means the commissioner of the New Hampshire department of health and human services, or his or her designee.

(b) “Department” means the New Hampshire department of health and human services.

(c) “Eligible costs” means costs incurred by a town, city, or mosquito control district:

(1) Following the declaration of a public health threat; and

(2) For mosquito control activities aimed at reducing the public health threat.

(d) “Mosquito control” means activities targeting the abatement of mosquitoes through the application of pesticides aimed at mosquito larvae (larvicide) and adult mosquitoes (adulticide).

(e) “Mosquito control district (MCD)” means contiguous municipalities that work together for the purpose of applying for a special permit and/or partial funding pursuant to RSA 141-C:24.

(f) “Mosquito control fund” means a fund, established pursuant to RSA 141-C:25, to assist cities, towns, and MCDs by providing funding for the purpose of offsetting the costs of mosquito control activities including, but not limited to, the purchase and application of chemical pesticides.

(g) “Mosquito control plan” means a written document prepared by a town, city, or MCD that describes preventive and response actions for reducing human mosquito-borne disease.

(h) “Special permit” means a special permit obtained in accordance with Pes 505, Pes 506, and/or Pes 604.

(i) “Public health threat” means a condition declared by the commissioner, in consultation with the Centers for Disease Control and Prevention and with concurrence of the governor, that warrants expedited mosquito control activities within a city, town, or MCD, and which is based on local factors per RSA 141-C:25, III(a).

He-P 308.03 Mosquito Control Districts: Contiguous municipalities that establish mosquito control districts for the purposes of applying for moneys from the mosquito control fund shall be eligible for financial assistance if the district is established pursuant to RSA 430:13 and meets the requirements set forth in He-P 308.05 .

He-P 308.04 Application for Financial Assistance to Partially Fund Towns, Cities, or MCD's Mosquito Control Activities.

(a) A town, city, or MCD desiring to apply for financial assistance for mosquito control activities shall submit the following documents to the department:

- (1) The completed application form, "Application for Financial Assistance to Partially Fund Towns, Cities, or MCD's Activities"; and
 - (2) A copy of the town, city, or MCD's mosquito control plan, which shall include at a minimum:
 - a. A list of pesticides, including their active ingredient(s), to be applied and methods by which these pesticides will be applied to ensure the application is performed in a safe and proper manner, if the town is requesting financial assistance for the treatment of mosquitoes with pesticides;
 - b. A description of the safeguards in place to protect the health of the public, wildlife, and resources within the state;
 - c. A description of a comprehensive public awareness campaign geared toward prevention and designed to educate the public about the health risks associated with mosquitoes;
 - d. A description of surveillance activities employed to detect a mosquito-borne public health threat; and
 - e. A description of appropriate mosquito control methods.
- (b) The public awareness campaign described in (a)(2)c. above shall address, at a minimum:
- (1) The potential severe human illness associated with bites from infected mosquitoes;
 - (2) Measures the public can take to reduce mosquito-breeding locations on their property and in their community; and
 - (3) Measures to prevent mosquito bites through the use of effective repellent, types of clothing, and altered activity schedules during times of peak mosquito biting.
- (c) The "Application for Financial Assistance to Partially Fund Towns, Cities, or MCD's Activities" shall be signed by the individual filing the application, or, for MCDs, by a representative from each incorporated town or city belonging to that particular MCD.
- (d) The "Application for Financial Assistance to Partially Fund Towns, Cities, or MCD's Activities" may be obtained by contacting:
- The Arboviral Surveillance Program
The Department of Health and Human Services
Division of Public Health Services
(603) 271-4496
- (e) The applicant shall mail or hand-deliver the above-listed documents to:

Arboviral Surveillance Coordinator
The Department of Health and Human Services
Division of Public Health Services
29 Hazen Drive
Concord, NH 03301-6504

He-P 308.05 Eligibility.

(a) The town, city, or MCD shall be eligible to receive funds for mosquito control activities if the following criteria have been met:

- (1) The commissioner, in consultation with the Centers for Disease Control and Prevention and with concurrence of the governor, has declared a public health threat within a given city, town, or MCD based on local factors per RSA 141-C:25, III(a);
- (2) The commissioner, after consultation with the Centers for Disease Control and Prevention, has determined mosquito control activities are appropriate to mitigate the public health threat based on local factors per RSA 141-C:25, III(a); and
- (3) The town, city, or MCD that is requesting financial assistance:
 - a. Holds a current special permit, approved in accordance with Pes 505, Pes 506, and/or Pes 604;
 - b. Completes and submits an application no later than December 1st of the calendar year in which expenses were incurred, along with other required documentation, to the department, as described in He-P 308.04; and
 - c. Requests funding for mosquito control activities aimed to address a public health threat of a mosquito-borne disease and not for nuisance mosquito control activities.

(b) "Nuisance mosquito control" means mosquito control activities which are not aimed at a declared public health threat.

(c) The amount of funding requested through the application shall be no more than 25% of the total eligible costs of mosquito control activities directed at a public threat.

He-P 308.06 Approval for Towns, Cities, or MCDs to Receive Funds for Mosquito Control Activities.

(a) The commissioner shall base the decision as to whether to grant the funding request, and, if the request is granted, the amount of funding to be provided, on the following criteria:

- (1) The nature and degree of the declared threat to the public health;
- (2) The mosquito control activities proposed by the city, town, or MCD;
- (3) Funding from the mosquito control fund shall not exceed 25% of the total eligible costs of mosquito control activities; and
- (4) Funding is available through the appropriation under RSA 141-C:25.

(b) If an application is approved, the department shall notify the applicant in writing of the approval, and the amount of funding approved, within 30 working days of December 1st.

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(c) If an application is denied, the department shall notify the applicant in writing of the reason for the denial within 30 working days of December 1st.

(d) Applications shall be received by the department by December 1st of the calendar year for which expenses were incurred.

Appendix

<u>Section</u>	<u>Title</u>	<u>Federal Reg./RSA</u>
He-P 308.01	Purpose	RSA 141-C:25, I; RSA 430:13
He-P 308.02	Definitions	RSA 141-C:24, RSA 141-C:25
He-P 308.03	Mosquito Control Districts	RSA 141-C:24, RSA 430:13
He-P 308.04	Application for Financial Assistance to Partially Fund Towns, Cities or MCD's for Mosquito Control Activities	RSA 141-C:25, III, RSA 141-C:25, IV
He-P 308.05	Eligibility	RSA 141-C:25, III, RSA 141-C:25, IV; RSA 141-C:25, V
He-P 308.06	Approval for Towns, Cities, or MCDs to Receive Funds for Mosquito Control Activities	RSA 141-C:25, III, (b)